

AN ACT

relating to driving safety courses for individuals younger than 25 years of age receiving deferred disposition for certain traffic offenses.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Effective January 1, 2012, Subsection (b-1), Article 45.051, Code of Criminal Procedure, is amended to read as follows:

(b-1) If the defendant is younger than 25 years of age and the offense committed by the defendant is a traffic offense classified as a moving violation:

(1) Subsection (b)(8) does not apply;

(2) during the deferral period, the judge:

(A) shall require the defendant to complete a driving safety course approved under Chapter 1001, Education Code; and

(B) may require the defendant to complete an additional driving safety course designed for drivers younger than 25 years of age and approved under Section 1001.111, Education Code; and

(3) if the defendant holds a provisional license, during the deferral period the judge shall require that the defendant be examined by the Department of Public Safety as required by Section 521.161(b)(2), Transportation Code; a

defendant is not exempt from the examination regardless of whether the defendant was examined previously.

SECTION 2. Subchapter C, Chapter 1001, Education Code, is amended by adding Section 1001.111 to read as follows:

Sec. 1001.111. DRIVING SAFETY COURSE FOR DRIVER YOUNGER THAN 25 YEARS OF AGE. (a) The commissioner by rule shall provide minimum standards of curriculum for and designate the educational materials to be used in a driving safety course designed for drivers younger than 25 years of age.

(b) A driving safety course designed for drivers younger than 25 years of age must:

(1) be a four-hour live, interactive course focusing on issues specific to drivers younger than 25 years of age;

(2) include instruction in:

(A) alcohol and drug awareness;

(B) the traffic laws of this state;

(C) the high rate of motor vehicle accidents and fatalities for drivers younger than 25 years of age;

(D) the issues commonly associated with motor vehicle accidents involving drivers younger than 25 years of age, including poor decision-making, risk taking, impaired driving, distraction, speed, failure to use a safety belt, driving at night, failure to yield the right-of-way, and using a wireless communication device while operating a vehicle, and the role of peer pressure in those issues;

(E) the effect of poor driver decision-making on the family, friends, school, and community of a driver younger than

25 years of age; and

(F) the importance of taking control of potentially dangerous driving situations both as a driver and as a passenger; and

(3) require a written commitment by the student to family and friends that the student will not engage in dangerous driving habits.

(c) A course approved for use under this section before January 1, 2012, must comply with the requirements of Subsection (b) and be approved for that purpose by the commissioner not later than January 1, 2012. This subsection expires September 1, 2012.

SECTION 3. (a) The Texas Education Agency shall adopt the rules required by Section 1001.111, Education Code, as added by this Act, as soon as practicable after the effective date of this Act.

(b) The change in law made by this Act to Article 45.051, Code of Criminal Procedure, applies only to an offense committed on or after January 1, 2012. An offense committed before January 1, 2012, is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this subsection, an offense was committed before that date if any element of the offense occurred before that date.

SECTION 4. Except as otherwise provided by this Act, this Act takes effect September 1, 2011.

S.B. No. 1330

David Dewhurst

President of the Senate

Joe Straus

Speaker of the House

I hereby certify that S.B. No. 1330 passed the Senate on May 10, 2011, by the following vote: Yeas 31, Nays 0.

Atsuy Saw

Secretary of the Senate

I hereby certify that S.B. No. 1330 passed the House on May 23, 2011, by the following vote: Yeas 142, Nays 0, one present not voting.

Robert Haney

Chief Clerk of the House

Approved:

17 JUN '11

Date

RICK PERRY

Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
4:20 PM O'CLOCK

JUN 17 2011

Bob McWhorter

Secretary of State